

RECEIPT NUMBER

521544

11

**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF MICHIGAN**

**STARDOCK SYSTEMS, INC., a**  
 Michigan corporation,

Plaintiff,

vs.

**TGT SOFT CORPORATION, a**  
 Foreign corporation,

Defendant.

JUDGE : Rosen, Gerald E.  
 DECK : S. Division Civil Deck  
 DATE : 02/17/2005 @ 16:25:49  
 CASE NUMBER : 2:05CV70646  
 CMP STARDOCK SYSTEMS V. TGT SOFT  
 CORP (KC)

R. BRADLEY LAMBERT PLC  
 By: R. Bradley Lambert (P34587)  
 Attorneys for Plaintiff  
 36330 Woodward Ave., Suite 300  
 Bloomfield Hills, MI 48304  
 (248) 642-7774

STATE JUDGE CAPEL,

U.S. DISTRICT COURT  
 EAST DISTRICT  
 DETROIT, MICHIGAN

05 FEB 17 P4 34

FILED

**COMPLAINT**

PLAINTIFF STARDOCK SYSTEMS, INC., by its attorneys, R. BRADLEY LAMBERT

PLC states its Complaint against Defendant as follows:

**Jurisdictional Allegations**  
**(Incorporated in Each Count)**

1. Plaintiff Stardock Systems, Inc. ("Stardock") is a duly organized and existing Michigan corporation, in good standing and operating under the laws of the State of Michigan, with its offices located in Livonia, Wayne County, Michigan.

2. Defendant TGT Soft Corporation ("TGT Soft") is an Arizona corporation, with its principal offices located in New Orleans, LA. TGT Soft conducts commercial activities in the State of Michigan, including but not limited to the publishing of its interactive web site for the benefit of

Michigan residents, the sale of its products to Michigan residents, and the deliberate marketing and distribution of its products to Michigan residents.

3. This Court has jurisdiction due to the federal questions raised in this controversy.

**Common Allegations**  
**(Incorporated in Each Count)**

4. Stardock's primary business is to develop, publish and distribute computer programs for computers using the Windows XP or earlier operating programs.

5. Stardock is generally recognized in the industry as a leading source of programs that enhance the "look and feel" of the familiar standard Windows desktop, through products such as its Object Desktop collection of programs that enable the computer user to change the background (generally known as "skins"), icons and other visual effects displayed on the Windows desktop to a variety of designs that are personalized to the taste of the user.

6. Stardock makes a program called CursorXP™ that enables users to upgrade their Windows mouse cursors to use a Stardock developed mouse cursor format that supports much higher quality mouse cursor "themes".

7. For the past several years, Stardock has invested substantial sums designing, promoting and supporting its software program generally known as Stardock CursorXP™.

8. Stardock owns Stardock CursorXP™, and all legal rights pertaining to that program and its files.

9. Stardock's developmental and design work for Stardock CursorXP™ included the laborious process of making the product compatible with the most popular computer operating system, Windows XP, and the immediately previous version, Windows 2000.

10. The Stardock CursorXP™ program takes advantage of the new and sophisticated

visual effects features of Windows XP and Windows 2000 operating systems to create the graphically superior mouse cursors.

11. The Stardock CursorXP™ program uses a file format developed by Stardock called the .CurXPTheme format. This format supports the creation of mouse cursors that are visually of much better quality than the mouse cursors found in Microsoft Windows by default.

12. Stardock customers who use the Stardock CursorXP™ program can download mouse cursors in the CursorXP mouse cursor format from many websites. However, most mouse cursors made the CursorXP format (.CurXPTheme) are downloaded from the website, WinCustomize.com, a site owned, paid for and operated by Stardock.

13. The Stardock CursorXP™ program includes more than a dozen cursor options for customizing the size, color and behavior of mouse cursors.

14. The Stardock CursorXP™ program is recognized by Windows users as the leading programs for customized cursor design.

15. Stardock sells Stardock CursorXP™ for \$10 from a web site operated by Stardock Systems, Inc. at [www.Stardock.com](http://www.Stardock.com) (the "Stardock Web Site").

16. Other companies compete with Stardock's products by developing their own formats for their programs.

17. On or about January 14, 2005, TGT Soft issued an announcement on its web site that it intended to issue update 3.0 to its Style XP software program that would enable customers to update their Style XP program to include a new feature, the ability to generate custom cursors TGT Soft refers to as ".cursorXP file format" that is now supported through its product IconTranslate.

18. Approximately two weeks later, TGT Soft followed this general announcement by

issuing this supposedly new feature to its Style XP software.

19. TGT Soft's new "feature" is simply the ability to convert Stardock CursorXP™ mouse cursors into the standard Microsoft Windows mouse cursor format with corresponding loss of visual quality.

20. TGT Soft's reference to the ".cursorXP file format" causes the substantial likelihood that its customers believe that Style XP actually directly uses the CursorXP™ file format rather than simply converting the mouse cursors to the Microsoft mouse cursor format that does not offer the same enhanced visual quality as the CursorXP™ file format.

21. TGT Soft repeatedly refers to the ".CursorXP" file format without mentioning that the name "CursorXP" is a trademark of Stardock.

22. In fact, no mention of Stardock is included with TGT Soft's announcements. TGT Soft treats Stardock's valuable trade name as if it were a generic term.

23. The only apparent substantive addition to the Style XP program found within its new version 3.0 is the ability to use Stardock CursorXP™ mouse cursors (after it converts them to the Microsoft mouse cursor format) in its software.

24. The Style XP 3.0 program converts the Stardock CursorXP™ mouse cursors to the Microsoft mouse cursor format (which does not offer the same enhanced visual quality) in a manner that is generally not observed by the ordinary user using ordinary care, giving the user the false impression that the Style XP 3.0 program provides the same value to the user as Stardock's CursorXP™ program.

25. TGT Soft sells its Style XP 3.0 version to new customers for a price, or allows customers who have purchased an earlier Style XP program within the previous 12 months to

upgrade to the new version free.

26. Stardock's proprietary mouse cursor files are used as part of Style XP 3.0 without any attribution to Stardock, or payment of a licensing fee.

27. TGT Soft customers are simply enabled to acquire and use content that was designed specifically for use for Stardock CursorXP™ as part of the Style XP 3.0 package.

28. TGT Soft leverages the popularity of Stardock CursorXP™, and the hard work and investment of Stardock put into that program, and uses Stardock's very work to compete directly against Stardock's Object Desktop and Stardock CursorXP™ computer programs.

29. TGT Soft's misuse and misappropriation of Stardock CursorXP™ content is the second time in as many years that TGT Soft has copied and taken a Stardock files as its own without first paying any licensing fee or otherwise obtaining permission for such misuse.

30. TGT Soft's appropriation of Stardock's valuable IconPackager files and intellectual property was litigated and settled shortly thereafter.

31. Stardock is thus justifiably concerned that TGT Soft is pursuing a deceptive business model under which it copies and/or converts Stardock's files for use in its own products in order to compete against Stardock without having to invest the time, money, and effort to create the content and support in the first place.

**COUNT I**  
**UNFAIR COMPETITION**

32. Michigan law prohibits TGT Soft from simulating, for the purpose of deceiving the public, the name, symbols, or devices employed by Stardock, or the substitution of the goods or wares of one person for those of Stardock, thus falsely inducing the purchase of TGT Soft products and thereby obtaining the benefits properly belonging to Stardock. Such activity is treated as

actionable unfair competition in this state.

33. TGT Soft and Stardock are competitors, including in the industry of producing and promoting custom software such as Stardock CursorXP™ and Style XP 3.0.

34. TGT Soft has violated Michigan unfair competition law by wrongfully misappropriating and using Stardock's intellectual property without authorization and then using that intellectual property to compete against Stardock with it.

35. TGT Soft's conversion of Stardock's intellectual property Stardock CursorXP™ for its own commercial purposes misleads the public and causes Stardock to lose trade from its valuable intellectual property as a result of such misleading acts.

36. TGT Soft's unauthorized misuse of the Stardock CursorXP™ program without authority from Stardock and in a manner that creates inferior graphics that denigrates the public's opinion of the program's quality injures the reputation and good will of Stardock.

37. TGT Soft's acts of unfair competition have caused Stardock to lose trade and business, and loss of reputation, in amounts yet undetermined which are in fact difficult to discern.

## **COUNT II**

### **TRADEMARK INFRINGEMENT**

38. Stardock properly gives notice of its trademark Stardock CursorXP™ in the sale and distribution of the software program developed under that name.

39. The trademark Stardock CursorXP™ is or has acquired distinctiveness so as to be protected under 15 U.S.C. § 1125(a).

40. TGT Soft's reference to ".cursorxp" files without attributing that name to Stardock CursorXP™ is likely to cause confusion amongst buyers using ordinary care.

41. Deception of the buying public is the "natural and probable result of TGT Soft's acts

of using the term ".cursorxp files" as if it were a generic term, and engaging in the other deceptive practices described in this Complaint.

42. TGT Soft's deceptive use of the Stardock CursorXP™ program name in its product is likely to and has caused Stardock lost trade and business, and loss of reputation, in amounts yet undetermined and difficult to discern.

**COUNT III**  
**FALSE DESIGNATION OF ORIGIN**

43. Section 43(a) of the Lanham Act, 15 USCS § 1125, bars any person from using "any word, term, name, symbol, or device, or any combination thereof" in a manner likely to "cause confusion as to the origin, sponsorship or approval of his or her goods," to "deceive as to the affiliation, connection, or association of such person with another person," or "to misrepresent in commercial advertising or promotion" the nature or quality of his or another person's goods.

44. Any person violating Section 43(a) of the Lanham Act is liable in damages for violation of the Act.

45. TGT Soft violates Section 43(a) of the Lanham Act by appropriating Stardock's intellectual property for its own use and promotion to its customers, under conditions designed to confuse users as to the true origin of such products, and Stardock's rights in and to the files and intellectual property misappropriated and promoted by TGT Soft.

46. Dimitri has caused TGT Soft to engage in the ongoing violation of the Lanham Act, and, upon information and belief, has authorized the use of his equipment and property to continue the continuous ongoing violation.

47. TGT Soft's violations of Section 43(a) of the Lanham Act have caused Stardock damages they are entitled to recover under the Act, and also untold damages largely beyond

measurement and compensation in damages, which activity should be enjoined. Stardock is entitled to its actual damages or statutory damages, whichever is higher, Counter-Defendants' profits from the falsely designated origin of its products, and actual attorneys fees, under 15 USCS § 1117.

**COUNT IV**  
**COMMON LAW TRADEMARK**

48. Stardock properly gives notice of its trademark Stardock CursorXP™ in the sale and distribution of the software program developed under that name.

49. The trademark Stardock CursorXP™ is or has acquired distinctiveness so as to be protected as a trademark under common law.

50. TGT Soft's reference to ".cursorxp" files without attributing that name to Stardock CursorXP™ is likely to cause confusion amongst buyers using ordinary care.

51. Deception of the buying public is the "natural and probable result of TGT Soft's acts of using the term ".cursorxp files" as if it were a generic term, and engaging in the other deceptive practices described in this Complaint.

52. TGT Soft's deceptive use of the Stardock CursorXP™ program name in its product is likely to and has caused Stardock lost trade and business, and loss of reputation, in amounts yet undetermined and difficult to discern.

**COUNT V**  
**INJUNCTIVE RELIEF**

53. Stardock will suffer irreparable harm unless TGT Soft is barred from misappropriating the Stardock CursorXP™ content, infringing Stardock's trademark, causing confusion as to the origin of Stardock's products, and wrongfully converting the Stardock CursorXP™ content to its own use to compete against Stardock with it.



54. The irreparable harm suffered by Stardock from its immediate and irreversible loss of its property rights greatly outweighs the potential harm to TGT Soft, which needs only to fairly and fully develop its own mouse cursor format and content under an appropriate distinct name to fairly compete with Stardock in the relevant marketplace.

55. The public interest will benefit from an injunctive order that reinforces the valuable property rights of Stardock earned through its investment and labor.


56. Stardock's remedy at law is inadequate. If Stardock is not granted the requested injunctive relief, its valuable intellectual property rights will be diminished and diluted by TGT Soft's illegal activities, in a manner largely beyond measurement and compensation in damages.

57. Stardock is entitled to the injunctive relief it seeks to preserve its valuable products and intellectual property from piracy and conversion that is largely untraceable on the Internet.

**WHEREFORE**, Stardock respectfully request that this Honorable Court grant Stardock a Judgment in an amount that can be proven or is appropriate for such an award, enter a Permanent Injunction after trial or other proceeding enjoining TGT Soft from misappropriating the Stardock CursorXP™ file format and making use of Stardock trademarks without appropriate attribution., and grant Stardock such other relief as is just and equitable, including statutory costs, interest and fees.

Respectfully Submitted,

**R. BRADLEY LAMBERT PLC**

By:   
R. BRADLEY LAMBERT (P34587)  
Attorneys for Plaintiff

Dated: February 17, 2005

Rosen/WC

70646

JS 44 (Rev. 11/04)

## CIVIL COVER SHEET

05-70646

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

|  |   |
|--|---|
| <b>I. (a) PLAINTIFFS</b><br><u>STARDOCK SYSTEMS, INC.</u>  | <b>DEFENDANTS</b><br><u>TGT SOFT CORPORATION</u>  |
| <b>(b) County of Residence of First Listed Plaintiff</b><br>(EXCEPT IN U.S. PLAINTIFF CASES)<br><u>Wayne County</u>  | <b>County of Residence of First Listed Defendant</b><br>(IN U.S. PLAINTIFF CASES ONLY)<br><u>WAYNE COUNTY</u> |
| <b>(c) Attorney's (Firm Name, Address, and Telephone Number)</b><br><u>R. Bradley Lambert</u><br><u>36330 Woodward #300</u><br><u>Bloomfield Hills, MI 48304</u> | <b>Attorneys (If Known)</b><br><u>GERALD E. ROSEN</u><br><u>MAGISTRATE JUDGE CAPEL</u>                        |

|  |  |                       |  |                          |  |   |  |
|--|--|-----------------------|--|--------------------------|--|---|--|
| <b>II. BASIS OF JURISDICTION</b> (Place an "X" in One Box Only)<br><input type="checkbox"/> 1 U.S. Government Plaintiff<br><input checked="" type="checkbox"/> 2 U.S. Government Defendant<br><input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)<br><input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III) | <b>III. CITIZENSHIP OF PRINCIPAL PARTIES</b> (Place an "X" in One Box for Plaintiff and One Box for Defendant)<br>(For Diversity Cases Only)<br><table style="width: 100%;"> <tr> <td style="width: 50%;">Citizen of This State</td> <td style="width: 50%;"> <input type="checkbox"/> 1 PTF<br/> <input type="checkbox"/> 1 DEF         </td> </tr> <tr> <td>Citizen of Another State</td> <td> <input type="checkbox"/> 2 PTF<br/> <input type="checkbox"/> 2 DEF         </td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td> <input type="checkbox"/> 3 PTF<br/> <input type="checkbox"/> 3 DEF         </td> </tr> </table> | Citizen of This State | <input type="checkbox"/> 1 PTF<br><input type="checkbox"/> 1 DEF | Citizen of Another State | <input type="checkbox"/> 2 PTF<br><input type="checkbox"/> 2 DEF | Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 PTF<br><input type="checkbox"/> 3 DEF |
| Citizen of This State  | <input type="checkbox"/> 1 PTF<br><input type="checkbox"/> 1 DEF   |                       |  |                          |  |   |  |
| Citizen of Another State   | <input type="checkbox"/> 2 PTF<br><input type="checkbox"/> 2 DEF   |                       |  |                          |  |   |  |
| Citizen or Subject of a Foreign Country  | <input type="checkbox"/> 3 PTF<br><input type="checkbox"/> 3 DEF   |                       |  |                          |  |   |  |

| IV. NATURE OF SUIT (Place an "X" in One Box Only)  |  |  |  |   |  |
|--|--|--|--|---|--|
| <b>CONTRACT</b><br><input type="checkbox"/> 110 Insurance<br><input type="checkbox"/> 120 Marine<br><input type="checkbox"/> 130 Miller Act<br><input type="checkbox"/> 140 Negotiable Instrument<br><input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment<br><input type="checkbox"/> 151 Medicare Act<br><input type="checkbox"/> 152 Recovery of Defined Student Loans (Excl. Veterans)<br><input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits<br><input type="checkbox"/> 160 Stockholders' Suits<br><input type="checkbox"/> 190 Other Contract<br><input type="checkbox"/> 193 Contract Product Liability<br><input type="checkbox"/> 196 Prohibitor | <b>PERSONAL INJURY</b><br><input type="checkbox"/> 310 Airplane<br><input type="checkbox"/> 315 Airplane Product Liability<br><input type="checkbox"/> 320 Assault, Libel & Slander<br><input type="checkbox"/> 330 Federal Employees' Liability<br><input type="checkbox"/> 340 Marine<br><input type="checkbox"/> 345 Marine Product Liability<br><input type="checkbox"/> 350 Motor Vehicle<br><input type="checkbox"/> 355 Motor Vehicle Product Liability<br><input type="checkbox"/> 360 Other Personal Injury | <b>PERSONAL INJURY</b><br><input type="checkbox"/> 362 Personal Injury - Med. Malpractice<br><input type="checkbox"/> 365 Personal Injury - Product Liability<br><input type="checkbox"/> 368 Asbestos Personal Injury Product Liability<br><b>PERSONAL PROPERTY</b><br><input type="checkbox"/> 370 Other Fraud<br><input type="checkbox"/> 371 Truth in Lending<br><input type="checkbox"/> 380 Other Personal Property Damage<br><input type="checkbox"/> 385 Property Damage Product Liability | <b>REAL PROPERTY</b><br><input type="checkbox"/> 210 Land Condemnation<br><input type="checkbox"/> 220 Foreclosure<br><input type="checkbox"/> 230 Rent Lease & Ejectment<br><input type="checkbox"/> 240 Torts to Land<br><input type="checkbox"/> 245 Tort Product Liability<br><input type="checkbox"/> 290 All Other Real Property | <b>FORFEITURE/PENALTY</b><br><input type="checkbox"/> 610 Agriculture<br><input type="checkbox"/> 620 Other Food & Drug<br><input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881<br><input type="checkbox"/> 630 Liquor Laws<br><input type="checkbox"/> 640 R.R. & Truck<br><input type="checkbox"/> 650 Airline Regs.<br><input type="checkbox"/> 660 Occupational Safety/Health<br><input type="checkbox"/> 690 Other<br><b>LABOR</b><br><input type="checkbox"/> 710 Fair Labor Standards Act<br><input type="checkbox"/> 720 Labor/Mgmt. Relations<br><input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act<br><input type="checkbox"/> 740 Railway Labor Act<br><input type="checkbox"/> 790 Other Labor Litigation<br><input type="checkbox"/> 791 Empl. Ret. Inc. Security Act   | <b>BANKRUPTCY</b><br><input type="checkbox"/> 422 Appeal 28 USC 158<br><input type="checkbox"/> 423 Withdrawal 28 USC 157<br><b>PROPERTY RIGHTS</b><br><input type="checkbox"/> 830 Copyrights<br><input type="checkbox"/> 835 Patent<br><input checked="" type="checkbox"/> 840 Trademark<br><b>SOCIAL SECURITY</b><br><input type="checkbox"/> 861 HIA (1395ff)<br><input type="checkbox"/> 862 Black Lung (923)<br><input type="checkbox"/> 863 DIWC/DIWW (405(g))<br><input type="checkbox"/> 864 SSD Title XVI<br><input type="checkbox"/> 865 RSI (405(g))<br><b>FEDERAL TAX SUITS</b><br><input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)<br><input type="checkbox"/> 871 IRS—Third Party 26 USC 7609 |
|  | <b>CIVIL RIGHTS</b><br><input type="checkbox"/> 441 Voting<br><input type="checkbox"/> 442 Employment<br><input type="checkbox"/> 443 Housing/Accommodations<br><input type="checkbox"/> 444 Welfare<br><input type="checkbox"/> 445 Amer. w/Disabilities - Employment<br><input type="checkbox"/> 446 Amer. w/Disabilities - Other<br><input type="checkbox"/> 440 Other Civil Rights   | <b>PRISONER PETITIONS</b><br><input type="checkbox"/> 510 Motions to Vacate Sentence<br><input type="checkbox"/> 530 General<br><input type="checkbox"/> 535 Death Penalty<br><input type="checkbox"/> 540 Mandamus & Other<br><input type="checkbox"/> 550 Civil Rights<br><input type="checkbox"/> 555 Prison Condition  |  | <input type="checkbox"/> 400 State Reapportionment<br><input type="checkbox"/> 410 Antitrust<br><input type="checkbox"/> 430 Banks and Banking<br><input type="checkbox"/> 450 Commerce<br><input type="checkbox"/> 460 Deportation<br><input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations<br><input type="checkbox"/> 480 Consumer Credit<br><input type="checkbox"/> 490 Cable/Sat. TV<br><input type="checkbox"/> 810 Selective Service<br><input type="checkbox"/> 830 Securities/Commodities/Exchange<br><input type="checkbox"/> 875 Customer Challenge 12 USC 3410<br><input type="checkbox"/> 890 Other Statutory Actions<br><input type="checkbox"/> 891 Agricultural Acts<br><input type="checkbox"/> 892 Economic Stabilization Act<br><input type="checkbox"/> 893 Environmental Matters<br><input type="checkbox"/> 894 Energy Allocation Act<br><input type="checkbox"/> 895 Freedom of Information Act<br><input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice<br><input type="checkbox"/> 950 Constitutionality of State Statutes |  |

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|---|---|--|---|--|---|--|
| <b>V. ORIGIN</b><br><input checked="" type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from another district (anomaly) | <input type="checkbox"/> 6 Multidistrict Litigation | <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judgment |
|---|---|--|---|--|---|--|

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| <b>VI. CAUSE OF ACTION</b> | Brief description of cause: |
|----------------------------|-----------------------------|

|                                     |  |                  |   |
|-------------------------------------|--|------------------|---|
| <b>VII. REQUESTED IN COMPLAINT:</b> | <input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 | <b>DEMAND \$</b> | CHECK YES only if demanded in complaint:<br><b>JURY DEMAND:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
|-------------------------------------|--|------------------|---|

|   |              |                      |
|---|--------------|----------------------|
| <b>VIII. RELATED CASE(S) IF ANY</b> (See Instructions): | <b>JUDGE</b> | <b>DOCKET NUMBER</b> |
|---|--------------|----------------------|

|             |  |
|-------------|--|
| <b>DATE</b> | <b>SIGNATURE OF ATTORNEY OF RECORD</b><br><u>2/17/05</u> |
|-------------|--|

|                            |                  |               |                     |                 |                   |
|----------------------------|------------------|---------------|---------------------|-----------------|-------------------|
| <b>FOR OFFICE USE ONLY</b> | <b>RECEIPT #</b> | <b>AMOUNT</b> | <b>APPLYING IFP</b> | <b>JUDICIAL</b> | <b>MAG. JUDGE</b> |
|----------------------------|------------------|---------------|---------------------|-----------------|-------------------|

**SUANT TO LOCAL RULE 83.11**

1. Is this a case that has been previously dismissed?

☐ Yes

☒ No

If yes, give the following information:

Court: \_\_\_\_\_

Case No.: \_\_\_\_\_

Judge: \_\_\_\_\_

2. Other than stated above, are there any pending or previously discontinued or dismissed companion cases in this or any other court, including state court? (Companion cases are matters in which it appears substantially similar evidence will be offered or the same or related parties are present and the cases arise out of the same transaction or occurrence.)

☐ Yes

☒ No

If yes, give the following information:

Court: \_\_\_\_\_

Case No.: \_\_\_\_\_

Judge: \_\_\_\_\_

Notes :  
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\_\_\_\_\_  
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